

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:

MARY L. SMITH,
1708 Allison Place
Nashville, TN 37203
SSN: XXX-XX-9130

Debtor(s).

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Bk. No. **11-08160-GP3-13**
Chapter 13
Judge George C. Paine, II

ORDER DENYING CONFIRMATION AND DISMISSING CASE

This matter came to be heard on November 28, 2011, continued from November 21, 2011, upon the issue of confirmation of the debtor's proposed Chapter 13 plan, the objection to confirmation raised by the Trustee, and the Trustee's related Motion to Dismiss. At the call of the docket, debtor's counsel was present but the debtor was not. In light of the failure of the debtor to appear, debtor's counsel indicated that he could not pursue confirmation of the plan nor could he contest the Trustee's Motion to Dismiss. Based upon this announcement, it is

ORDERED, confirmation of the debtor's proposed Chapter 13 plan is denied; it is further

ORDERED, the above styled case is dismissed; it is further

ORDERED, the Trustee is authorized to disburse from any funds on hand any unpaid filing fee, notice fee, unpaid adequate protection payment, or allowed administrative claim.

THIS ORDER WAS SIGNED AND ENTERED
ELECTRONICALLY AS INDICATED AT THE
TOP OF THE FIRST PAGE.

APPROVED BY:

/s/ Henry E. Hildebrand, III

Henry E. Hildebrand, III
Chapter 13 Trustee
P. O. Box 190664
Nashville, TN 37219-0664
615-244-1101; Fax 615-242-3241
www.ch13nsh.com
pleadings@ch13nsh.com

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and exact copy of the foregoing Order has been forwarded to Ms. Mary L. Smith, 1708 Allison Place, Nashville, TN 37203; Mr. Mark R. Podis, 1161 Murfreesboro Road, Suite 300, Nashville, TN 37217; and Ms. Beth R. Derrick, Assistant U.S. Trustee, 318 Customs House, 701 Broadway, Nashville, TN 37203, by U. S. Mail, postage prepaid (or otherwise dependably delivered including Electronic Case Noticing) this 8th day of December, 2011.

/s/ Henry E. Hildebrand, III

Henry E. Hildebrand, III
Chapter 13 Trustee